

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
No. 7:14-CR-40-BO  
No. 7:16-CV-111-BO


MICHAEL LEE GREEN, JR., )  
Petitioner, )  
v. )  
UNITED STATES OF AMERICA, )  
Respondent. )

ORDER

This cause comes before the Court *sua sponte* following its entry of an order holding petitioner's motion under 28 U.S.C. § 2255 in abeyance on a motion by the government. [DE 19; 20]. The government represented in its motion that counsel for petitioner did not oppose the stay, and that petitioner was served by making service of the motion on his counsel, Assistant Federal Public Defender Sheri Alspaugh. [DE 19 at 3].

Contrary to the government's representation, petitioner filed his § 2255 motion *pro se*, and attorney Alspaugh has not entered a notice of appearance in this action. For this reason, the Court DIRECTS the government to serve a copy of its motion, the Court's order allowing the motion, and this order on petitioner at his current address. The clerk shall serve a copy of this order on attorney Alspaugh, who is DIRECTED to notify the Court of her intention to appear in this matter pursuant to the Court's standing orders not later than August 5, 2016. Petitioner shall not later than August 19, 2016, notify the Court, either *pro se* or through counsel, of his position on the government's request to hold this matter in abeyance.

SO ORDERED, this 22 day of July, 2016.

  
TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE